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## NOTICE OF ALLOWANCE AND FEE(S) DUE

Stolowitz Ford Cowger LLP / ptomail 621 SW Morrison Street Suite 600 Portland, OR 97205 EXAMINER
CHOJNACKI, MELLISSA M

ART UNIT PAPER NUMBER
2164

DATE MAILED: 03/16/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,398	07/26/2000	Eric C. Anderson	5200-0085	7721

TITLE OF INVENTION: METHOD AND SYSTEM FOR HOSTING ENTITY-SPECIFIC PHOTO-SHARING WEBSITES FOR ENTITY-SPECIFIC DIGITAL CAMERAS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$0	\$0	\$1740	06/18/2012

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u> SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

### PART B - FEE(S) TRANSMITTAL

## Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or Fax (571)-273-2885

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Stolowitz Ford 621 SW Morriso Suite 600 Portland, OR 97			hav	e its own certificate Certi	of mailing or transmission. ificate of Mailing or Trans	
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						(Signature)
						(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	R	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,398	07/26/2000	•	Eric C. Anderson	•	5200-0085	7721
APPLN. TYPE	N: METHOD AND ST	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUE	
nonprovisional	NO	\$1740	\$0	\$0	\$1740	06/18/2012
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CHOJNACKI,	MELLISSA M	2164	707-631000			
FR 1.363).  Change of corresp Address form PTO/SI  "Fee Address" ind PTO/SB/47; Rev 03-C Number is required.  ASSIGNEE NAME A PLEASE NOTE: Unl	ND RESIDENCE DATA less an assignee is ident h in 37 CFR 3.11. Comp	nge of Correspondence  "Indication form ed. Use of a Customer  A TO BE PRINTED ON This ified below, no assignee	2. For printing on the (1) the names of up to agents OR, alternat (2) the name of a sing registered attorney or 2 registered patent attlisted, no name will be THE PATENT (print or ty data will appear on the part of the par	o 3 registered patent ively, the firm (having as a agent) and the name orneys or agents. If no printed. The property of the pr	attorneys 1	locument has been filed for
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a. The following fee(s) are submitted:  Issue Fee Publication Fee (No small entity discount permitted) Advance Order - # of Copies			<ul> <li>b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</li> <li>A check is enclosed.</li> <li>Payment by credit card. Form PTO-2038 is attached.</li> <li>The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).</li> </ul>			
a. Applicant claim	<b>tus</b> (from status indicated as SMALL ENTITY statu	is. See 37 CFR 1.27.	☐ b. Applicant is no loa	nger claiming SMAL	L ENTITY status. See 37 C	
OTE: The Issue Fee an terest as shown by the	d Publication Fee (if requecords of the United Sta	uired) will not be accepte tes Patent and Trademark	d from anyone other than Office.	the applicant; a regis	tered attorney or agent; or t	he assignee or other party in
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Typed or printed name			Registration No.			
his collection of inform n application. Confiden abmitting the completed his form and/or suggesti	nation is required by 37 C tiality is governed by 35 d application form to the	FR 1.311. The information U.S.C. 122 and 37 CFR U.S.C. 122 and 37 CFR U.S.C. Time will vary rden should be sent to the	on is required to obtain or 1.14. This collection is est depending upon the indi	retain a benefit by the stimated to take 12 m vidual case. Any correct U.S. Patent and T	e public which is to file (an inutes to complete, includi: nments on the amount of ti Trademark Office J.J.S. Der	d by the USPTO to process) and gathering, preparing, and me you require to complete partment of Commerce. P.O.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/625,398	07/26/2000	Eric C. Anderson	5200-0085	7721
11788 75	90 03/16/2012	EXAMINER		
	owger LLP / ptomail	CHOJNACKI, MELLISSA M		
621 SW Morrison Suite 600	Street		ART UNIT	PAPER NUMBER
Portland, OR 9720	5		2164	

DATE MAILED: 03/16/2012

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1822 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1822 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

### **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)
	09/625,398	ANDERSON ET AL.
Notice of Allowability	Examiner	Art Unit
	MELLISSA M. CHOJNACKI	2164
	WELLISSA W. CHOJNACKI	2104
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this a or other appropriate communicati GHTS. This application is subjec	application. If not included on will be mailed in due course. <b>THIS</b>
1. $\square$ This communication is responsive to <u>RCE /IDS 2/29/2012</u> .		
<ol> <li>An election was made by the applicant in response to a rest the restriction requirement and election have been incorporate</li> </ol>		g the interview on;
3. ☑ The allowed claim(s) is/are <u>1-10 and 12-40</u> .		
<ol> <li>Acknowledgment is made of a claim for foreign priority unde</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> </ol>	r 35 U.S.C. § 119(a)-(d) or (f).	
1. Certified copies of the priority documents have		
2.   Certified copies of the priority documents have	• •	
<ol><li>Copies of the certified copies of the priority doc</li></ol>	cuments have been received in th	is national stage application from the
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" on noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		ly complying with the requirements
<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give</li> </ol>		
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must	be submitted.	
(a) I including changes required by the Notice of Draftspers	on's Patent Drawing Review(PT	O-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in the	e Office action of
Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the		
<ol> <li>DEPOSIT OF and/or INFORMATION about the deposit of B attached Examiner's comment regarding REQUIREMENT FC</li> </ol>		
Attachment(s)	E T Niete Ci C	I Detent Appliesting
1. Notice of References Cited (PTO-892)	5. Notice of Informa	• •
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6.	
3. ☑ Information Disclosure Statements (PTO/SB/08),	7. 🔲 Examiner's Amer	ndment/Comment
Paper No./Mail Date <u>2/29/2012; 3/2/2012</u> 4. ☐ Examiner's Comment Regarding Requirement for Deposit	8 🕅 Evaminer's State	ment of Reasons for Allowance
of Biological Material		ment of Modelle for Allowaries
	9. 🔲 Other	
	/Neveen Abel-Jalil/	
	Supervisory Patent E	Examiner, Art Unit 2165
	1	

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Art Unit: 2164

### **DETAILED ACTION**

#### Remarks

1. In response to the Board Decision filed on June 14, 2011 and the RCE filed on 2/29/2010, claims 1-10 and 12-40 are presently pending in the application.

### Information Disclosure Statement

- 2. The information disclosure statement filed 3/2/2012 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the related cases should be included in the IDS and not submitted in "Related Case Listing", also known as an NPL. Any related applications, Patents and Publications should be listed properly in the IDS. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any resubmission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).
- 3. The information disclosure statement (IDS) submitted on 2/29/2012 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

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## Allowable Subject Matter

4. Claims 1-10 and 12-40 are allowed over prior art made of record.

5. The following is an examiner's statement of reasons for patentability

of the claims found patentable in this application:

does not teach, disclose or suggest:

Claims 1-10 and 12-40 are patentable in view of the Decision of the Board of Patent Appeals and Interferences dated June 14, 2011 and in consideration of the remaining prior art of record and newly filed IDSs presented in this application. This determination takes into account the findings of fact, principles of law and analysis set forth in the Decision of Reversal by the Patent Appeals and Interferences board filed. Also see MPEP 1214.04.

The record indicates that the two month period for further appeal and/or reconsideration has elapsed without indication of any further appeal or request for reconsideration. See 35 USC 141; 35 USC 142; 37 CFR 41.52

6. The prior arts of record <u>Anderson et al.</u> (U.S. Patent No. 6,567,122 B1),

<u>Thompson</u> (U.S. Patent No. 6,650,831), and <u>Creamer et al.</u> (U.S. Patent No. 6,930,709)

A method for providing access to respective entity-specific photo-sharing websites for a plurality of entities, each entity controlling a set of entity-specific network-

enabled image capture devices, the method comprising providing an online photosharing service configured to provide access to the respective entity-specific photosharing websites for each of the entities, wherein one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities; and providing software for the entity-specific network-enabled image capture devices, including a TCP-IP protocol stack that enables wireless communication between the entity-specific network-enabled image capture devices and the online photo-sharing service via a wireless Internet connection, that causes the entity-specific network- enabled image capture devices to wirelessly transmit entity ID information when the entity-specific network-enabled image capture devices wirelessly transmit images to the photo-sharing service over the Internet connection, wherein when the entity-specific network-enabled image capture devices wirelessly connect to the photo-sharing service via the wireless Internet connection, the photo-sharing service uses the entity ID received from the entity-specific network-enabled image capture devices to automatically associate the images received from the entity-specific networkenabled image capture devices with the photo-sharing website of the identified entity, as claimed in independent claim 1.

Claims 2-9, 31 and 36-37 are allowed because they are dependent on independent claim 1.

An online photo-sharing system, comprising an online photo-sharing service for providing access to respective photo-sharing websites for a plurality of entities, wherein

each of the entities controls a set of network- enabled digital cameras and one or more of the photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities; and digital camera software that is customized to each of the entities, including a TCP-IP protocol stack that enables wireless communication between the digital cameras and the online photo-sharing service via a wireless Internet connection, wherein when the software customized to an entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection to the photo-sharing service, the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the entity to the photo-sharing service over the wireless Internet connection, allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website for the entity, as recited in independent claim 10.

Claims 12-22, 32 and 38 are allowed because they are dependent on independent claim 10.

A method for automatically sending images from entity-specific cameras to entity-specific websites, comprising: customizing a plurality of entity-specific cameras for different entities by loading at least one entity ID into the camera; providing an online photo-sharing service for accessing a plurality of photo- sharing websites; providing the plurality of entity-specific cameras with a TCP-IP protocol stack for allowing the entity-specific cameras to wirelessly communicate with the online photo- sharing service over

a wireless Internet connection; customizing in appearance each of the photo-sharing websites for a respective entity to create entity-specific websites, each of the entity-specific websites being identified by a respective entity ID; wirelessly transmitting the respective entity ID for a particular entity-specific website from the camera to the photo-sharing service when uploading images from the camera to the photo-sharing service via the wireless Internet connection; and receiving the images and the entity ID from the camera and associating the images with the particular entity-specific website identified by the entity ID, as recited in independent claim 23.

Claims 24-30, 33 and 39-40 are allowed because they are dependent on independent claim 23.

An online photo-sharing system, comprising an online photo-sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls a set of network-enabled digital cameras and one or more of the websites is customized in appearance to a corresponding one or more of the plurality of entities, the set of network-enabled digital cameras including digital camera software that is customized to each of the entities, including a TCP-IP protocol stack that enables wireless communication between the network-enabled digital cameras and the online photo-sharing service via a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection, the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the

entity ID information for the particular entity to the photo-sharing service over the Internet connection, allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website hosted for that particular entity, as recited in independent claim 34.

An online photo-sharing system, comprising a plurality of network-enabled digital cameras for accessing an online photo- sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls at least one of the network-enabled digital cameras and one or more of the websites is customized in appearance to a corresponding one or more of the plurality of entities, each of the plurality of network-enabled digital cameras including digital camera software that is customized to each of the entities, including a TCP-IP protocol stack that enables wireless communication between the network-enabled digital cameras and the online photo-sharing service via a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection, the software causes the networkenabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the particular entity to the photo-sharing service over the wireless Internet connection, allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically

associate the uploaded images with the photo-sharing website hosted for that particular entity, as recited in independent claim 35.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 09/625,398

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 10, 2012

MMC

/Neveen Abel-Jalil/

Supervisory Patent Examiner, Art Unit 2165